THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.21513 of 2006

DATED 18.10.2006

Between:

Kavikondala Veera Surya Srinivas and another. … PETITIONERS

Versus

The Commissioner, Rajahmandry
Municipal Corporation, Rajahmandry,
East Godavari District. … RESPONDENT

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.21513 of 2006

ORDER:

The matter is coming up for admission today. Heard the learned counsel for the writ petitioners and also the learned Standing Counsel representing the respondent.

2. The Writ Petition is filed for a Writ of Mandamus declaring the proposed impugned action of the respondent in trying to proceed with the demolition of the house building of the petitioners bearing D.No. 46-21-1, T.S.No.448, Danavaipeta, Rajahmandry, as illegal, arbitrary and violative of principles of natural justice and for a consequential order directing the respondent and his subordinates not to demolish the above house building of the petitioner except due process of law and pass such other suitable orders.

3. Several factual details had been narrated in the affidavit filed in support of the Writ Petition. The main grievance of the writ petitioners is that the respondent cannot carry on with the

demolition activity unless due process of law is followed.

4. In view of the stand taken by the writ petitioners, this Court is of the considered opinion that the Writ Petition be disposed of directing the respondent not to take up any demolition activity in relation to the subject matter of the Writ Petition unless the respondent follows due process of law.

5. With the direction indicated above, the Writ Petition is disposed of. No costs.

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18.10.2006

SSR

Issue order copy tomorrow.

(BO)